

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID LAPINE,

Plaintiff,

-against-

BRIAN NICHOLS and WILLIAM JACKSON,
sued in their individual capacities,
DENNIS MILLER, sued in his individual
capacity,

Defendants.
-----X

08 civ. 0429 (KMK)

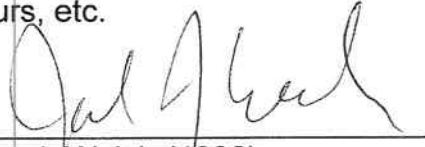
**NOTICE TO TAKE
DEPOSITION UPON
ORAL EXAMINATION**

COUNSELORS:

PLEASE TAKE NOTICE, that pursuant to Article 31 of the Civil Practice Law and Rules the testimony, upon oral examination, of the plaintiff, DAVID LAPINE, as an adverse party, will be taken before a Notary Public who is not an attorney, or employee of an attorney, for any party or prospective party herein and is not a person who would be disqualified to act as a juror because of interest or because of consanguinity or affinity to any party herein, at the **Law Offices of HODGES, WALSH & SLATER, LLP, located at 55 Church Street, Suite 211, White Plains, NY on the 16th day of July, 2008, at 10:00 a.m.** in the forenoon of that day with respect to evidence material and necessary in the defense of this action.

Dated: White Plains, NY
June 4, 2008

Yours, etc.

A handwritten signature in dark ink, appearing to read "John J. Walsh", written over a horizontal line.

John J. Walsh (4092)

HODGES, WALSH & SLATER, LLP

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